

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Bruchez *et al.*  
Title: Cells having a spectral signature and methods of  
preparation and use thereof  
Appl. No: 09/972,744  
Confirm. 4380  
No:  
Filing Date: 10/5/2001  
Examiner: Pensee Do  
Art Unit: 1641

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97(c)(2) the Information Disclosure Statement being transmitted herewith is being filed before the mailing date of a final action, a notice of allowance, or an action that otherwise closes prosecution in the application, and is accompanied by a fee of \$180.00 as set forth in 1.17(p).

The cited references may be material to the examination of the above-identified application. Applicants, respectfully request that the listed references be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed PTO/SB08 forms in accordance with MPEP §609.

This Information Disclosure Statement pursuant to 37 CFR 1.97 is not to be construed as a representation that: (1) a search has been made; (2) the above information constitutes prior art to the subject invention. Accordingly, it is requested that the Examiner consider the cited references.

Respectfully submitted,

Date: November 10, 2006

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